



~~June 17, 2003 CPC~~
July 23, 2003 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

03SN0272

Edna M. Claiborne

Bermuda Magisterial District
14611 Woods Edge Road

REQUEST: Amendment to Conditional Use (Case 89SN0301) to delete a condition relative to compliance with an approved Master Plan (Condition 1 of Case 89SN0301) and a condition relative to a maximum number of permitted students. (Condition 2 of Case 89SN0301)

PROPOSED LAND USE:

Expansion of the child care center is planned.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITION AND ACCEPTANCE OF THE PROFFERED CONDITION ON PAGE 2.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The use has existed on the request property with no apparent adverse impact upon adjacent properties and the surrounding area.
- B. Even with the deletion of the Master Plan and proposed increased enrollment potential, the previously imposed conditions, recommended condition and proffered conditions ensure that adequate land use transition will continue to be maintained.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITION

(STAFF/CPC) Any additions, alterations or redevelopment of the site shall conform to the development standards of the Zoning Ordinance for Corporate Office (O-2) Districts in Emerging Growth Areas. (P)

PROFFERED CONDITIONS

(STAFF/CPC) 1. Prior to any site plan approval, forty-five (45) feet of right-of-way on the east side of Woods Edge Road, measured from the centerline of that part of Woods Edge Road immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)

(STAFF/CPC) 2. Direct access from the property to Woods Edge Road shall be limited to one (1) existing entrance/exit. (T)

(STAFF/CPC) 3. Prior to enrollment of more than eighty (80) students, additional pavement shall be constructed along Woods Edge Road at the approved access to provide a left turn lane. The developer shall dedicate to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for these road improvements. (T)

(Staff Note: This condition is in addition to Condition 3 of Case 89SN0301.)

(Note: With the approval of this request, Conditions 1 and 2 of Case 89SN0301 shall be deleted. All other conditions of Cases 84S177 and 89SN0301 shall remain in effect.)

GENERAL INFORMATION

Location:

East line of Woods Edge Road, north of Walthall Creek Drive and better known as 14611 Woods Edge Road. Tax ID 805-643-6670 (Sheet 35).

Existing Zoning:

Agricultural (A) with Conditional Use to permit a child care center

Size:

0.9 acre

Existing Land Use:

Child care center

Adjacent Zoning and Land Use:

North and West - A; Single family residential or vacant

South and East - A and R-15; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along Woods Edge Road, adjacent to the request site. The existing structure is connected to the public water system. Use of the public water system is required by County Code.

Public Wastewater System:

The public wastewater system is not available to serve the request site. The closest extendable wastewater line is approximately 3,250 feet southeast of the site. Use of the public wastewater system is not required.

Private Septic System:

The Health Department must approve any new septic system or any expanded usage of the existing septic system.

ENVIRONMENTAL

Drainage and Erosion:

There are no existing or anticipated on- or off-site drainage or erosion problems.

PUBLIC FACILITIES

Fire Service:

The Dutch Gap Fire Station, Company Number 14, and Bensley-Bermuda Volunteer Rescue Squad currently provide fire protection and emergency medical service. This request will have minimal impact on fire and EMS service.

Transportation:

The property (approximately one (1) acre) is zoned Agricultural (A) with a Conditional Use (Cases 84S177 and 89SN0301) that permits a day care facility, which has been developed on the property. The applicant is requesting elimination of two (2) existing conditions of that Conditional Use (Conditions 1 and 2 of Case 89SN0301) relative to the Master Plan and maximum student enrollment.

Specifically, Condition 1 establishes the approved Master Plan and identifies certain improvements that can be developed on the property. Condition 2 limits enrollment to a maximum of eighty (80) children. As noted, the current request would eliminate both of these conditions. As requested, there would be no limitation on the number of students enrolled at this day care; therefore, it is difficult to anticipate traffic generation. The applicant currently does not intend to exceed an enrollment of eighty (80) children or make additional improvements to the property. Based on day care trip rates and assuming an enrollment of eighty (80) children, development could generate approximately 360 average daily trips. These vehicles will be distributed along Woods Edge Road, which had a 2003 traffic count of 5,690 vehicles per day.

Sections of Woods Edge Road have twenty-one (21) foot wide pavement with no shoulders. The capacity of this road is acceptable (Level of Service D) for the volume of traffic it currently carries. The standard typical section for this type of roadway should be twenty-four (24) foot wide pavement, with minimum eight (8) foot wide shoulders.

The Thoroughfare Plan identifies Woods Edge Road as a major arterial with a recommended right of way width of ninety (90) feet. The applicant has proffered to dedicate forty-five (45) feet of right way, measured from the centerline of Woods Edge Road, in accordance with that Plan. (Proffered Condition 1)

Access to major arterials, such as Woods Edge Road, should be controlled. The applicant has proffered to limit direct access from the property to Woods Edge Road to the one (1) existing entrance/exit. (Proffered Condition 2)

The traffic impact of this development must be addressed. An existing condition of the Conditional Use (Condition 3 of Case 89SN0301) requires the construction of left and right turn lanes along Woods Edge Road at the approved access with expansion of the day care facility. The applicant is not requesting an amendment to that condition. In conjunction with

development on the property, a right turn lane was constructed along Woods Edge Road. The applicant has proffered to construct additional pavement along Woods Edge Road to also provide a left turn lane when the enrollment exceeds eighty (80) students (Proffered Condition 3). Based on the existing condition and this proffer, if the enrollment exceeds eighty (80) students or the facility is expanded, the left turn lane will be required. Constructing this improvement may require the developer to obtain some "off-site" right of way.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Eastern Area Land Use Plan along the western fringe of an area designated for residential development of 1.5 units per acre or less. Properties directly across Woods Edge Road to the west are designated for light industrial use. The child care center may be considered an acceptable land use transition between the suggested residential and light industrial areas.

Area Development Trends:

Immediately surrounding properties are zoned Agricultural (A) and are occupied by single family residences or are vacant. Properties to the south and west are zoned Residential (R-15) and are occupied by residences in the Walthall Creek Subdivision.

Zoning History:

On November 28, 1984, the Board of Supervisors, upon a favorable recommendation of the Planning Commission, approved a Conditional Use (Case 84S177) to permit a child care center on the request property, subject to a number of conditions addressing a Master Plan of development, architectural treatment, maximum enrollment, hours of operation, landscaping and signage.

On October 13, 1989, the Board of Supervisors, upon a favorable recommendation of the Planning Commission, approved an amendment to 84S177 (Case 89SN0301) to increase enrollment at the center, subject to conditions requiring a Master Plan for development, placing a cap on enrollment and requiring left and right turn lanes once the building expansion is occupied.

Current Proposal:

As noted herein, with the approval of the original Conditional Use and subsequent amendment, conditions were imposed establishing a Master Plan for development, and addressing architectural treatment, maximum enrollment, hours of operation, landscaping, turn lanes and signage in order to insure the use is compatible with the residential uses in the area.

The applicant is proposing to delete Condition 1 of Case 89SN0301 to permit future development in compliance with Zoning Ordinance requirements rather than as restricted by a Master Plan and to delete Condition 2 to increase permitted enrollment beyond the maximum of eighty (80) children.

To insure that land use transition and development quality are not compromised once the Master Plan is no longer required, the Condition requires future development to conform to the development standards of the Zoning Ordinance for Corporate Office (O-2) Districts in Emerging Growth Areas.

Site Design:

The subject property is located in an Agricultural (A) District and hence is not subject to development standards of the Zoning Ordinance. To address concerns relative to the design and quality of future development, the Condition requires compliance with Emerging Growth District Standards for Corporate Office (O-2) Districts. These standards address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, utilities, screening of dumpsters and loading areas and lighting. In addition, except as amended, conditions of Cases 84S177 and 89SN0301 remain in effect for the existing development.

CONCLUSIONS

The applicant is proposing to expand the existing child care center. With the deletion of the approved Master Plan and the enrollment cap, greater flexibility is afforded in the design of the proposed facilities. In exchange, the required compliance with Emerging Growth District Standards of the Ordinance ensures a well-designed project compatible with adjacent residential and agricultural development.

Further, the use has existed on the request property without any apparent adverse impact on the surrounding area and the existing and recommended conditions ensure that the single family residential character of the request property will be maintained.

Given these considerations, approval of this request is recommended.

CASE HISTORY

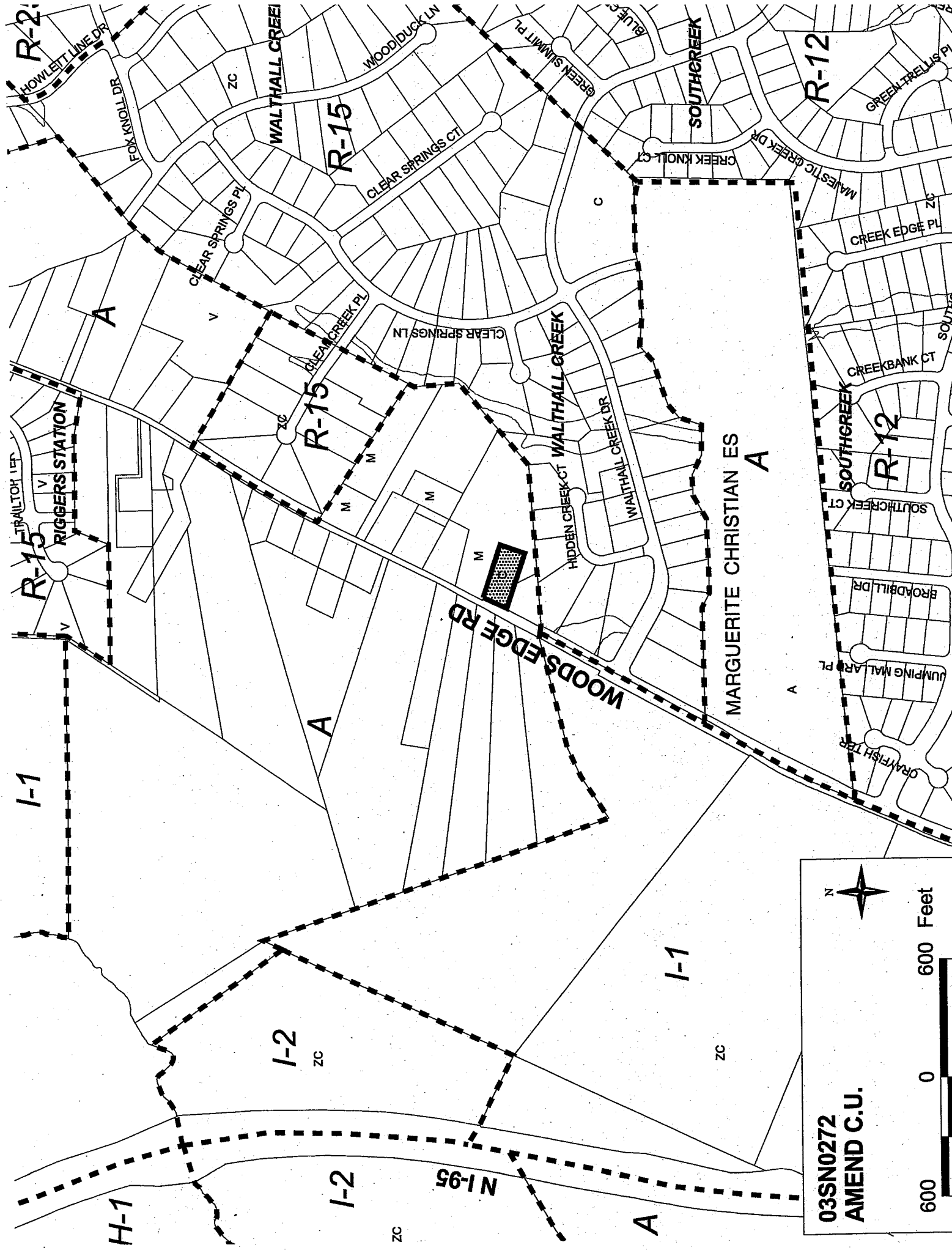
Planning Commission Meeting (6/17/03):

The applicant accepted the recommendation. There was no opposition present.

On motion of Mr. Cunningham, seconded by Mr. Stack, the Commission recommended approval subject to the condition and acceptance of the proffered conditions on page 2.

AYES: Unanimous.

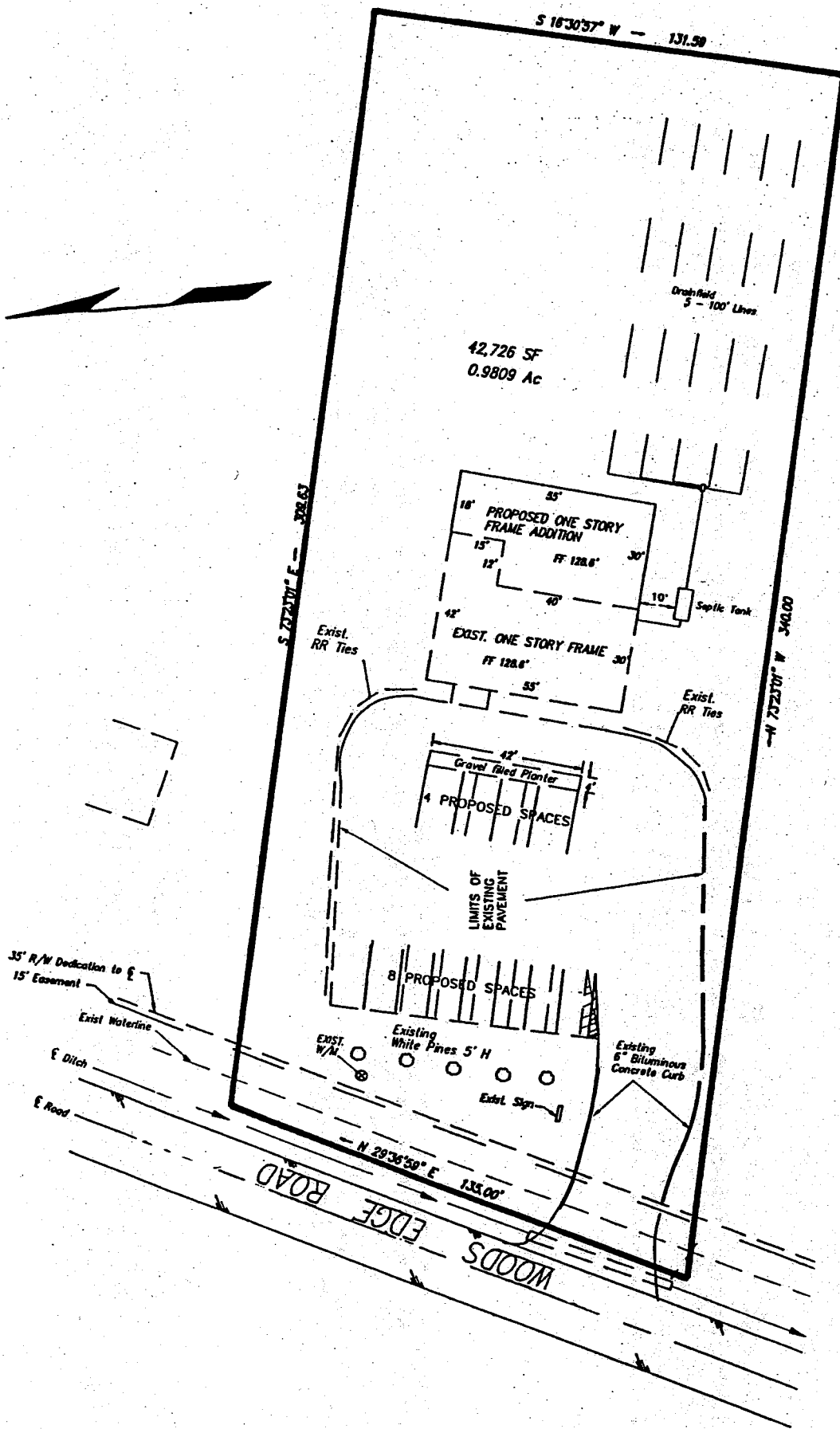
The Board of Supervisors, on Wednesday, July 23, 2003, beginning at 7:00 p.m., will take under consideration this request.



**03SN0272
AMEND C.U.**

N

600 0 600 Feet



ORIGINAL MASTER PLAN